

The Investigative Committee B of the Georgia Board of Nursing met Thursday, August 26, 2021 via conference call at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

## **THURSDAY, AUGUST 26 2021**

### **MEMBERS PRESENT**

Ashlan Porter, RN  
Roger Pierce, RN, MSN  
Maceo Tanner, LPN  
Jennifer Pipkin, RN, MSN, CRNA

### **STAFF PRESENT**

Zelma Delgado, Executive Director, Georgia Board of Nursing  
Janet Freeman, RN, BSN, Nursing Consultant – Legal/Discipline  
Natara Miller, RN, BSN, Nursing Consultant – Legal/Discipline  
Sandy Bailey, JD, Assistant Attorney General  
Kathy Winstead, Board Support Specialist

Porter called the meeting to order at 4:00 p.m. on Thursday, August 26, 2021.

### **EXECUTIVE SESSION**

Tanner moved, Pierce seconded and the Committee voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the executive session on Thursday, August 26, 2021, Porter declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

### **INVESTIGATIVE COMMITTEE CASES**

(LPNI = Licensed Practical Nurse Investigative Case Number) (RNI=Registered Nurse Investigative Case Number)

Pierce moved to present the following recommendations to the Board.

**RNI210766** - Refer to the Attorney General’s Office for an outpatient mental physical examination from a Board approved evaluator. Results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, if noncompliant voluntary surrender or indefinite suspension and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

**RNI220095** – Issue with a Letter of Concern – criminal – eligible for eNLC.

**RNI220090** – Issue license with Letter of Concern-Criminal and close case

**LPN210196** - Issue license with Letter of Concern-Criminal and close case

**RNI170331**– Accept request to terminate Consent Order early

**LPNI220050**– Issue license with a Public Consent Agreement probation until March 31, 2024 quarterly reports (employer).

**RNI211148** – Refer to Office of Investigations to obtain a copy of the patient medical records. Refer records for peer review.

**RNI210195** – Refer to Attorney General's Office for Public Consent Order with a \$500 fine for practicing out of scope of practice. Courses in Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know and Risk Advisor for Advanced Practice Nurses: Know Your Risk for Legal Action. Investigative costs \$192.48 & \$250 peer review. Total Costs \$442.48.

**RNI210788** – Close case with no disciplinary action

**RNI220069** – Refer to Attorney General's Office for Private Consent Order with \$500.00 fine for continuing education violation.

**RNI210883** – Send Investigative Letter with Courses to include Professional Accountability and Legal Liability for Nurses, Disciplinary Actions: What Every Nurse Should Know, Documentation: Accurate and Legal, and GA Jurisprudence -RN

**RNI211356** – After obtaining certified copy of Pennsylvania's disciplinary action, refer to Attorney General's Office for Public Reprimand with \$500.00 fine for Failure to Disclose (action in another jurisdiction).

**RNI211296** – Refer to Attorney General's Office for Public Consent Order with five years probation and two years of narcotic restrictions. Reprimand for drug diversion \$500 fine and impairment \$500 fine = \$1000 fine, quarterly reports (self, employer, after care, psychotherapy-addictionologist), substance abuse stipulations, hair reports (Hairstat 14) x 24 months, quarterly urine drug screens throughout the order, may only work with current employer (DaVita Dialysis), Courses in Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Actions: What Every Nurse Should Know, Professional Wrongdoing: Reconciliation and Recovery, Stayed suspension language

**RNI210942** – Needs reentry. License with Consent Agreement with five years probation (not sobriety time) and two years of narcotic restrictions, quarterly reports (self, employer, after care, psychotherapy-addiction psychiatrist, psychotherapy-addiction counselor), substance abuse stipulations, Standard work restrictions, quarterly hair reports (Hairstat 12) x 24 months, quarterly urine drug screens throughout the order, courses in Understanding Substance Use in Nursing, Righting a Wrong: Ethics and Professionalism in Nursing, Disciplinary Action: What Every Nurse Should Know.

**RNI211136** – Close case with no action.

**RNI210772** – Refer to the Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, if noncompliant voluntary surrender or indefinite suspension if noncompliant and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

**RNI220063** – Refer to the Attorney General's Office for a private consent order with a \$500 fine for continuing education violation.

**RNI210784** – Refer to the Attorney General's Office for a Public Reprimand for unprofessional conduct with a \$500 fine and courses in Professional Accountability and Legal Liability for Nurses, Documentation: A Critical Aspect of Client Care, Ethics of Nursing Practice and Disciplinary Actions What Every Nurse Should Know.

**RNI210804** – Close case with Investigative Letter with courses in Professional Accountability and Legal Liability, Ethics of Nursing Practice and Disciplinary Actions: What Every Nurse Should Know.

**RNI210759** – Refer to the Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, if noncompliant voluntary surrender or indefinite suspension if noncompliant and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

**RNI220008** – Continue to monitor through aftercare.

**RNI211127** – Refer to the Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, if noncompliant voluntary surrender or indefinite suspension if noncompliant and deny renewal. May petition to lift with MPE and proof of standard practice requirements, and Public Consent Order and \$1,000.00 fine for Failure to Disclose (treatment in the last five years and being enrolled in Florida's alternative to discipline program)

**RNI220072** - Refer to Attorney General's Office for a Private Consent Agreement with \$500.00 fine for continuing education violation.

**RNI210743** – Close case with Letter of Concern- positive pre-employment drug test.

**RNI211271** – Close with Letter of Concern -Substandard Practice.

**RNI211159**– Refer to the Attorney General's Office for Private Consent Order for failure to disclose and \$500 fine. Respondent must submit finale disposition of court case.

**RNI220021**– Refer to the Attorney General's Office for Private Consent Order for failure to disclose arrest on 2021-23 renewal application, \$500 fine.

**RNI210257** – Lift suspension of license and accept inactive application.

**LPNI210360** – Refer to the Attorney General's Office for an outpatient mental physical examination from a Board approved evaluator, results are to be reviewed by the Investigative Committee and the Legal/Discipline Nurse Consultant, if noncompliant voluntary surrender or indefinite suspension if noncompliant and deny renewal. May petition to lift with MPE and proof of standard practice requirement.

Pipkin seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Thursday, August 26, 2021 at 4:39 p.m.



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Ashlan Porter, **Board Member, RN**

STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING OF  
PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. §50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

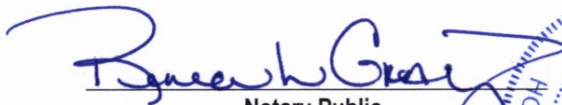
**Comes now the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.**

1. I am the presiding officer of the Georgia Board of Nursing.
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On August 26 2021 IC-(E) this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for the closure of this meeting was:  
O.C.G.A. 43-1-2(k) and 43-1-19(h)
5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:  
To deliberate applications and enforcement matters and to receive information on applications and investigative reports.

FURTHER THE AFFIANT SAYETH NOT

  
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Presiding Officer

Sworn and subscribed before me  
This 26th day of August, 2021.

  
\_\_\_\_\_  
Notary Public

